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ABSTRACT

This speech discusses means by which local control could be presented under a system of State financing of education. The author points out some of the weaknesses of local control and then discusses its strength. For example, the author argues that under local control too much energy goes into financial rather than into educational concerns. He suggests that States should be charged solely with the responsibilities of collecting and distributing funds, leaving to the local authorities the decisionmaking powers regarding the expenditure of the funds. The speech concludes by pointing up the need for identifying those powers and those decisions to be allocated at the local level and for providing the implementation forces to establish them within the local level domain. (JF)

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FULL STATE FUNDING AND LOCAL SCHOOL BOARD POLICY-MAKING

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FULL STATE FUNDING AND LOCAL SCHOOL BOARD POLICY-MAKING

Thank you, Mr. Chairman, for the introduction. It provides me with the delusions of adequacy I need in view of the tasks before me.

I am most appreciative of this opportunity to speak before one of the most important groups in America, so important, as a matter of fact, that I am always reminded of the new president of a teachers college, making his first address there. He emphasized the heavy demands placed upon today's teachers. A doctor, he pointed out, sometimes buries his mistakes. An architect might cover his with ivy. But when a teacher makes a mistake, he warned, remember, it may grow up to be a member of the school board.

I am delighted to be away from New York for a day. I am sometimes reminded of H. L. Mencken's definition of a Puritan: He is a person who has a sinking feeling that somebody, somewhere, is having some fun. I get the feeling, too, that if Moses were to come down today from Mt. Sinai the two tablets he would be carrying would probably be aspirin. New York sometimes reminds me of Patrick Henry: Patrick Henry, you know, thought taxation without representation was bad. Today he ought to see how bad it is <u>with</u> representation.

What everybody in education needs these days are the three bones: a wishbone, a backbone, and a funny bone.

I have been asked to focus my attention on the probable impact of the pending revolution in school financing on local school board policy

making. Since the time alloted to me is brief, and the issue is critical to the future quality of education in this country, I want to make my remarks as concrete as I can.

First, some assertions:

1. Achievement of a more equitable system of school financing will be required by the courts, and some form of state funding seems the only practical way to meet that requirement.
2. Achievement of a more effective system of public education requires the strengthening of local control.

Thus, the mandates of the courts create a unique opportunity to deal simultaneously with two glaring weaknesses: inequality resulting from the method of financing education, and ineffectiveness resulting from the ways in which we manage education.

Finally, I think I should express what I believe about local control, and especially so, because I am a State Commissioner of Education speaking before representatives of local boards of governance.

Let me paraphrase only slightly a statement from Volume Five of the recently concluded National Educational Finance Project:

I believe that decisions concerning education should be made by the lowest level of government that can efficiently make that decision. By that, I mean that a decision should not be made by the Federal government if it can efficiently be made by the states, and a decision should not be made by the state if it can efficiently be made by local school districts. Each

higher level of government should impose its power on the lower one only to establish general policies for the common good, but not to destroy that diversity which enriches without harming others.

Moreover, I believe that in the new Federalism calling for a local--State--Federal partnership of shared responsibility, a) education is a national concern, a state function, and a local operational responsibility, and b) local school board members have a dual responsibility, namely, acting as local officials as well as agents of the state with delegated powers. This is sometimes forgotten and leads to misunderstandings and avoidable conflicts.

Finally, I'd like to say that under any circumstances, a school district gets the freedom it deserves. If a board vigorously carries out its responsibilities in achieving quality education, in expanding educational opportunity, and in doing both with efficiency, it is practicing freedom in its finest sense -- the exercise of responsible and enlightened choice. As someone has said, self-discipline is the free man's yoke.

An irresponsible school district, on the other hand, can expect direction and constraints handed down from above.

Every school district gets the freedom it deserves.

The thrust of the remainder of my remarks will be to indicate what must be done to preserve and strengthen local control under a system of state financing of education.

First, we must be certain about our understanding of the meaning of local control.

"Control" is strictly an amoral term. As someone has wisely remarked, "It becomes either immoral or moral depending on how control is exercised and for what purposes." Control is neither good nor bad but thinking makes it so.

I have been an outspoken critic of <u>some</u> aspects of local control. On occasion, I have quoted with some favor, persons who have called local control a myth, and I have sometimes described it as a minor branch of theology. When we argue for the preservation of local control we must not be blind to its failures.

Local control has meant the privilege of refusing to join with neighboring districts to make a district large enough to meet adequately the needs of students. Local control has meant the denial of equal treatment to those in the community too powerless to demand what should have been accorded. Local control has meant segregated schools within districts and the erection between districts of barriers that perpetuate racial, social and economic isolation.

Having said that, I think that the biggest threat to local control, one which is educationally, legally, and morally unsound, are the President's recent proposals to retard racial integration, if not prevent it, and to undo what we already have. These proposals "remove one more decision-making

prerogative from local school boards," and, as a recent issue of the American School Board Journal remarks: "By fanning the flames of fear, the politicians and rhetoricians place insurmountable enmity between the people and their unpaid, unthanked, and abused local education leaders." If you are concerned about retaining local control then you and your school board need to exert the kind of moral leadership which speaks first when justice needs a voice.

Local control has meant that some schools were allowed to be even worse than anyone really wanted them to be, and this in a society, based as it is legally on Anglo-Saxon law which reminds us that no one has a right to be as bad as he wants to be. Moreover, I have examples across my desk every week of local boards that passionately treasure local control until they want the State Commissioner of Education to make unpopular decisions for them.

Now to look at the positive side of local control. Local control, <u>when it has worked well</u>, has meant that schools are responsive to local needs. Local control has meant that people have taken an interest in their schools and have seen to it that they got the resources they required. Local control has meant great diversity in the ways that education has been provided.

Local control has meant that schools experimented with new practices and sought excellence in their own way without every proposed departure from tradition having had to travel the long approval route from local originator to

state agency and back. Above all, local control has placed the point of crucial decision-making close to the point of action in the classroom. And it has served as an invaluable school for citizenship in which thousands of citizens like yourselves participate in making some of the most crucial decisions in our society.

These positive contributions of local control have given us a good educational system; they have not given us one good enough for our current and future needs. What we must do is build on the positive elements of local control, while correcting its deficiencies.

One of the most critical of those deficiencies is that too much of the energy and thought of local school boards has gone into financial, rather than educational, concerns. Thus, it seems that to strengthen local control we should relieve the local board of many finance decisions, which would seem, however, to remove one of its major sources of strength.

A most perplexing paradox -- or is it? In this paradox lies the key to the problem of how to have both state financing and local control.

We must find ways for the states to collect and distribute money, while leaving truly in the hands of local authorities the key decisions regarding the <u>expenditure</u> of those funds -- and by key decisions I mean those that pertain most directly to meeting the <u>educational</u> needs of students and the community. If, in the future, you and your staffs work as hard on educational matters as you have on financial matters, the future of local control will be assured.

What will it take to make that happen? Two things:

First, we must identify those powers and decisions that it is most essential to preserve at the local level.

Second, we must make clear provisions for placing them there.

I will deal briefly with each of these.

1. Each of us will have his own list of critical local powers, but here are some that I would expect to find on every list:

(1) The hiring, removal, and assignment of personnel.

(2) The setting of goals in terms of local needs, but with recognition of the relationship of those goals to the broader needs and interests of the state and nation.

(3) The determination of the content and sequencing of curriculum within a framework of state minimum requirements.

(4) The selection of instructional materials.

(5) The assignment of individual students to curricula and classrooms, subject again to some state minimum requirements.

(6) The establishment of attendance zones and enrollment policies, again within the requirements on racial integration established by the courts, the Federal Government, and some states.

(7) The establishment of standards for promotion and graduation.

(8) Control of physical plant.

(9) The right to engage in that contact sport, collective negotiations, and the determination of employee compensation, including collateral perquisites.

(10) The establishment of examining and evaluation procedures and instruments.

(11) The direction of transportation services and purchasing policies.

(12) Long-range planning and the encouragement of even increased citizen participation.

(13) The division of expenditures, as between personnel, materials and equipment, management and other purposes, subject to the meeting of performance goals, something to which I will turn in a moment.

(14) Finally, the local school board should have final decision on its budget with no requirement for prior approval from the state. The state's responsibility would be carried out through the usual post-audit procedures and new accountability requirements. A local public vote on the budget is an additional

possibility as a way to maintain community involvement and interest (although that subject is not without controversy).

2. What will it take to make sure that these powers are placed at the local level and made immune to erosion? I suggest that any state (or federal) legislation for state funding should provide specifically for the retention of these powers at the local level subject only to certain minimum state requirements.

The legislation enacting full funding should contain a "charter of liberties" for local school districts, indicating both the powers that they are to have and the limits on their powers. Among the limits should be the assignment to the state education agency of responsibility for assessing the effectiveness of the local educational effort, a responsibility that should have been assured long before this. In this assessment effort I would propose that the state have two prime responsibilities.

1. Determining, through as broadly based a process as can be devised, what levels of performance should be expected for every school in the state and then devising measures to assess the achievement of that performance.

2. Assuring that every district (a) have procedures for involving its community in determining its own levels of expected performance and educational goals, (b) have methods for determining whether it is achieving

its goals, and (c) have processes for acting on the results of that assessment. In selecting measures for goal achievement, we must be sure to attend to all goals, not just those that are at present easiest to measure, such as reading and math achievement. Boys and girls and our society will be poorly served if, in the enthusiasm for accountability, we tailor our education to goals we can most easily measure, rather than designing measures for those goals we think worth measuring.

If the state will do those two things, we shall be a long way toward that overdue accountability which is so much talked about these days, and yet leave to the local district the freedom to be as good as it wants to be.

In addition to these arrangements for insuring that appropriate powers will be retained by local boards, there are three other elements that can help strengthen local control.

The first of these is the continued power to raise some limited funds locally -- the so-called "leeway." The President's Commission on School Finance has recommended that this leeway not exceed 10 percent of the amount received from the state.

An additional possibility would be that wealthy districts be required to return a portion of the funds they raise toward the leeway to go into a pool to assist poorer districts that do not have the local resources to take advantage of the leeway.

This leeway would enable local districts to do some things beyond what the state allocation formula will support. It would also take into

account the fact that no formula can allow for all the specific variations among the needs of local districts. It does, however, open the door to the perpetuation of inequality. For this reason, I, personally, want to see more analysis of the impact of the leeway before I decide my position on it. If a leeway is allowed, this could be a specific reason for a local vote.

A second feature that would strengthen local control is the achievement of districts of adequate size. I do not want to get into a debate here about what adequate size is. For one thing, this is very much a function of specific local conditions, most particularly the sparsity or density of population. But it should be clear that districts so small that they cannot offer anything beyond a basic program have little of importance about which to exercise meaningful local control. Districts should be large enough, also, to afford an adequate management team or else local decisions will be poorly implemented.

Let us also be sure to note that districts can also be too large for effective local control, particularly if we include in local control meaningful public participation in the affairs of the district.

Furthermore, up to a point there are economies to be achieved by consolidating excessively small, inefficient districts and decentralizing large ones. For this reason alone, legislatures should consider the matter of school district organization as full funding provisions are developed and enacted.

The third additional element that will strengthen local control is the provision within a state of an effective system of regional or intermediate service agencies, fully responsible to the districts they serve, to furnish those districts services that the districts cannot provide as efficiently or effectively for themselves. Hardly any district, no matter how large or well financed, can provide by itself for all of the needs of its community. I am thinking here of such programs as those for occupational education, the handicapped, and the gifted, and such services as data processing, high cost instructional technology, and inservice education. A well-supported network of such regional agencies can help ensure that every child will receive the resources he needs to meet his educational goals, no matter what the size, wealth or capacity of the district in which he resides. Again, provision for a well-designed, organized and financed regional system should be a part of legislation on full funding.

Is it realistic to suppose that we can have local control with full funding, even under the conditions proposed? In my State, as well as in many others, we now have situations that approximate the conditions of full state funding. We pay 90 percent of the transportation costs of the districts and yet the districts make their own decisions regarding transportation -- indeed, there are those who would wish us to have more say because of the inefficient way some districts handle their transportation. Another example is in building needs. A district may receive 90 percent

of approved costs on a building and yet the local board makes all of the decisions on the building, subject only to state health and safety regulations and the determination of how much of what kinds of space are aided. That represents a fair mix of state and local control. And some of our poor districts now receive up to 90 percent of their operating costs and we have no different relationship to those districts from those where we supply a much smaller portion of the cost. There are other states in which the proportion of state aid runs much higher than ours. Thus, we already have "creeping" state funding. There seems to be little correlation between the extent of aid and the extent of control. In fact, states have exercised considerable control in situations where they provide little funding, as, for example, in mandating textbooks.

A factor that might work against local control will be statewide negotiations. Such negotiations will be an inevitable consequence of state funding and may come even faster than state funding. The legislation establishing full funding should specify as much as possible the limits under which state negotiations will operate, leaving to local negotiation only matters that do not directly have to do with money. Relief from this annual contact sport should greatly enhance the capacity of local boards and their professional staffs to focus on educational matters. However, it probably will be difficult, if not impossible, to restrict statewide negotiations to money issues. Because the negotiations will very much influence local educational

policy, it will be essential that some means be divised to give spokesmen for local boards a voice in the negotiations. We shall all need to give great attention to this very crucial problem as we work toward full funding.

What I have attempted to say about local control is this: The enormous restraining force of tradition plus legal protections plus vigorous exercise of the responsibilities in the local stewardship of education, will ensure that some form of statewide funding will not erode the American heritage of local control.

If we can now reform our system of educational finance and governance along the lines I suggest, your organization will celebrate the continued vitality of local control at its 62nd Annual Convention in 2002.

Let me conclude as I began, with a story: The president of a local school board was once asked what had become of his last superintendent of schools. "He left us as he came," he replied, "fired with enthusiasm."

I pray that after this conference you will be fired with enthusiasm for statewide funding, as well as for the retention of local control.

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